REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of September 12, 2008 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. However, the Office is expressly authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 50-0951.

Claim Rejections – 35 USC § 103

In the Office Action, Claims 1-4, 8, and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,366,302 to Crosby, *et al.* (hereinafter Crosby) in view of U.S. Patent 5,896,132 to Berstis, *et al.* (hereinafter Berstis), and further in view of U.S. Patent 6,529,218 to Ogawa, *et al.* (hereinafter Ogawa).

Although Applicants respectfully disagree with the rejections, Applicants have modified the language of Claim 1 to even more clearly define the present invention. As discussed herein, the claim amendments are fully supported throughout the Specification. No new matter has been introduced by the claim amendments.

Aspects of Applicants' Invention

It may be helpful to reiterate certain aspects of Applicants' invention prior to addressing the cited references. One embodiment of the invention, as typified by amended Claim 1, is a method for indicating that a content page is scrollable.

The method can include displaying at least a portion of a content page within a display area of a graphical user interface (GUI), wherein the displayed portion of the content page occupies all of said display area; determining whether the displayed content page is scrollable in at least one direction; and responsive to the determination, displaying at least one flyover within the display area to indicate the at least one direction that the displayed content page is scrollable. The at least one displayed flyover is a GUI object

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independent of the displayed content page and thus not part of the displayed content. The at least one displayed flyover overlaps at least one among text content and image content shown in the displayed portion of the content page. The at least one displayed flyover is configured to occlude the at least one among text content and image content of the overlapped portion of said displayed portion of the content page.

The method also can include detecting an occurrence of a flyover-close event; and responsive to the detection, discontinuing the display of the at least one flyover.

See, e.g., Specification, paragraphs [0025] to [0029]; see also Fig. 2.

The Claims Define Over The Prior Art

Computer software designers often find it necessary to provide users with a scrolling mechanism to create a virtual display larger than the physical display of a computing device. The need for scrolling mechanisms is especially prevalent when applications are developed for mobile computing devices, which can include tiny display screens. One problem with utilizing scrolling mechanisms is that a portion of the application's user population will become confused by the scrolling mechanism and not recognize that additional information can be displayed by scrolling. To many of these users, the appearance of a scroll bar alone is insufficient to notify the users that scrolling capabilities exist. Further, mobile devices often disfavor the use of scroll bars in an effort to conserve space within a limited viewing area. See Specification, paragraph [0002].

One solution to this problem is to specifically design content pages so that text and/or graphics at the borders of the viewing area are only partially displayed, thereby providing users with a visual indication that more information is available by scrolling. For example, designers can design content pages so that the bottom line of text falls in such a way that the tops of the letters are visible, but the bottoms are hidden. This solution can be highly inefficient as it can require content providers to tune text size, content, spacing, or a combination of these variables. The problem is exacerbated when

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content is presented on multiple devices (having screens of varying size) and/or content is designed for multiple operating systems and computing platforms. Another solution is to provide an explicit indication within the content of a scrollable page. For example, the last visible line of a scrollable page can end with elipses (…), an arrow pointing down (or to the right), or the word "more." While these labels can notify a user that additional content is available by scrolling, placing notifications within content results in the same problem as the prior solution. That is, the solution is highly inefficient in that it places a relatively large burden on application programmers. See Specification, paragraphs [0003]-[0004].

One aspect of the present invention provides a method for indicating that a content page is scrollable. The method can include the step of displaying a content page within a display area. A determination can be made that at least a portion of the displayed content page is scrollable. Responsive to the determination, a flyover can be displayed to indicate that the content page is scrollable, where the flyover can be a graphical user interface (GUI) object independent of the content page. Moreover, the flyover can be a fixed object that appears on top of other windows in the GUI. When the content page is scrollable vertically, a vertical flyover can be displayed. Similarly, when the content page is scrollable horizontally, a horizontal flyover can be displayed. Multiple flyovers can be simultaneously displayed when a content page is scrollable in multiple directions. The position of the flyover can remain fixed in relationship to the GUI, even though the displayed content can move responsive to scrolling operations. See Specification, paragraph [0005].

Additionally, a flyover-close event can be detected resulting in the closing of one or more flyovers. In one embodiment, an occurrence of a scroll event in a direction indicated by the flyover can trigger the flyover-close event. In another embodiment, a determination that the content page has been scrolled so that an end point of the content page has been displayed can trigger the flyover-close event. In yet another embodiment,

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a configuration editor can be provided for altering at least one of a positioning, appearance, and behavior of the flyover. In still another embodiment, the flyover can be implemented on an operating system level as a generic GUI object. For example, the flyover can be implemented on a mobile operating system, such as the operating system of a personal data assistant (PDA) or a cellular telephone. See Specification, paragraph [0006].

Crosby discloses a radiotelephone (200) having a display (208) that efficiently presents information such as lists and text fields. For each list, the display (208) presents a title message (300) with unique identification markings (332, 334), an end-of-list indicator (340), and a dynamic scroll indicator (308) to indicate scrolling directions. A context-sensitive symbol (306) is displayed whenever a context sensitive menu is available for a highlighted item. A search function is incorporated to allow expert users to quickly find information. A notepad feature allows the most recent string of user input data to be stored and recalled so that the data is not accidentally appended to subsequently entered data. Specialized data entry modes such as an editor screen (900), an editor-with-list screen sequence, a set value list screen sequence, a toggle value screen sequence, and a form screen sequence provide efficient retrieval, display, and entry of information. See the Abstract.

The Examiner has interpreted the "dynamic scroll indicator" of Crosby to sufficiently function as a "flyover" of the present invention. "Dynamic" is a broad word. Crosby uses it to describe an indicator that appears, disappears, changes in shape (single-headed up arrow, double-headed arrow, single-headed down arrow) and position. Crosby does not mention anywhere about a flyover nor do any of the figures depict a flyover in the sense of the present invention, which is a <u>superficial window that does not alter the location or layout of the underlying display data and does not reside in a dedicated area of the display screen</u>. One of the advantages of the flyover of the present invention is that it can actually <u>occlude the users view of the screen text or images</u>. So when a user is

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reading and gets to the bottom, the user has to see the indicator. Another of the advantages of the flyover of the present invention is that it is a GUI object <u>independent of</u> the displayed content page. These properties are not present with the dynamic scroll indicator of Crosby. In fact, the dynamic scroll indicator of Crosby is similar to one of the prior art solutions described in the background of the instant application, namely placing an explicit indication (such as arrow) within the content of a scrollable page. One disadvantage of this kind of solution is that it is highly inefficient in that it places a relatively large burden on application programmers (see Specification, paragraph [0004]).

Berstis discloses replacing scroll bars conventionally used in a GUI with "more" bars at each edge of a display bordering a direction in which more information is available for viewing. Actuation of a cursor on one of the more bars scrolls the display in the direction of the more bar. The more bars provide an intuitive mechanism for controlling the display of graphical user interface. See the Abstract.

It is described in col. 6, lines 6-8 of Berstis that the more bars may be overlapped, with the intersection of two adjacent more bars being used to scroll the display in two directions, simultaneously. However, this has nothing to do with the flyover overlapping and occluding the text content or image content shown in the displayed portion of the content page, as in the present invention. It is noted that in Berstis, the adjacent "more" bars "overlap" with one another, not the "more bars" overlapping the text or image content to be displayed. It is also noted that although Berstis discloses that the more bars may contain text (the word "MORE" 308) or graphical images (the arrows 310), Berstis does not disclose that the more bars overlap and occlude the text or images of the underlying content page. It is further noted that it is described in col. 6, lines 25-29 of Berstis that: "More bars 304 and 306 may lie within the application space 312 of a graphical user interface as depicted in FIG. 3A. In such embodiments, portions 314 of the more bar may be made 'transparent,' displaying the image underlying more bars 304

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and 306." Clearly, in Berstis the "more" bars do not occlude the text or images of the underlying content page because they are "transparent".

Ogawa discloses a display controller which includes: an output device with a display and an audio output port; external storage; an external input device; and a key input device. On the external storage, menu for map information, positional coordinates of the menu when displayed on the screen, and positional coordinates of the map information when displayed on the screen are stored. The external input device includes a navigation controller and a GPS receiver. When an image scrolling instruction is input through the key input device, the menu moves in the direction in which the display image is moving. See the Abstract.

The Examiner has interpreted the ability to move auxiliary information so as not to hide a newly appearing image to include the ability of moving the auxiliary information off the screen, thus performing the operation of closing the auxiliary information (see col. 7, lines 9-14 of Ogawa). However, it is noted that Ogawa does not disclose discontinuing the display of the flyover upon a detection of a flyover-close event (for example, an end point of the content page has been displayed), as recited in Claim 1 of the instant application. It is noted that in Ogawa the menu displayed at the upper left corner can be deleted in order to be displayed at the lower left corner on the screen (see col. 7, lines 9-14), not upon a detection of any menu-close event.

Accordingly, the cited references, alone or in combination, fail to disclose or suggest each and every element of Claim 1, as amended. Applicants therefore respectfully submit that amended Claim 1 defines over the prior art. Furthermore, as each of the remaining claims depends from Claim 1 while reciting additional features, Applicants further respectfully submit that the remaining claims likewise define over the prior art.

Applicants thus respectfully request that the claim rejections under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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